Single Bench (3)

IN THE HIGH COURT OF JUDICATURE, AT-BILASPUR(C.G.)

WRIT PETITION No. 4354 OF 2004

BETWEEN

PETITIONER : V. K. THAKUR
AGED - 59 YEARS,
SON OF SHRI B. P. THAKUR
AT PRESENT WORKING AS – BLOCK EDUCATION OFFICER, AT- O/O BLOCK EDUCATION OFFICE, CHHURIYA, DISTRICT – RAJNANDGAON (C.G.)
R/O- CHHURIYA, DISTRICT- RAJNANDGAON (C.G.)

P.R. No. 44917/04
Presented by Shri M. K. Bhadauria
dated 16/11/04

VERSUS

RESPONDENTS :

1. STATE OF CHHATTISGARH
THROUGH – THE SECRETARY
SCHOOL EDUCATION DEPARTMENT
MANTRALAYA D.K.S. BHAWAN,
RAIPUR.

2. SHRI R. A. SAHU,
INCHARGE PRINCIPAL,
GOVT. H.S.S. GAINDATOLA,
DISTRICT – RAJNANDGAON (C.G.)

16/11/04

WRIT PETITION UNDER ARTICLE- 226 & 227 OF CONSTITUTION OF INDIA

(45)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No 4354/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

10.11.2005

Petitioner by Shri R. K. Kesharwani, Advocate.

Respondent No. 1 by Shri Sachin Rajput, Panel lawyer.

None for Respondent No.2.

The petitioner is working as officiating Principal at Govt. Higher Secondary School Gaindatola, District- Rajnandgaon since July, 1988. He was transferred vide order dated 26.10.2004 as Block Education Officer, Churia, District- Rajnandgaon. The petitioner had joined the office at Churia on 2.11.2004. Said transfer order dated 26.10.2004 was modified vide order dated 10.11.2004 in respect of the petitioner and respondent No.2 (Shri R. A. Sahu). The petitioner filed this petition challenging the order dated 10.11.2004.

This Court after hearing the petitioner has passed the interim order on 8.12.2004. Accordingly, the petitioner was allowed to continue as Block Education Officer, Churia. The petitioner is working as Block Education Officer at Churia. In normal circumstances this Court does not interfere with the

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(46)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक 4357/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

transfer order when the same is passed in administrative exigency, not on any other ground with malafide exercise of powers or contrary to the provisions of law. In the present case it is apparent that the order was passed in normal course. There was no allegation of malafide. Even otherwise the petitioner has already remained as Block Education Officer, Churia on account of the stay granted by this Court on 8.12.2004. The respondents are at liberty to pass any other appropriate order if necessary in the interest of administration.

In view of the foregoing the petition stands disposed of.

Sd/-
Satish K. Agnihotri
Judge